

**UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA**

SUSAN SCANLON	:	
Plaintiff	:	
	:	NO. 06-2424
v.	:	
	:	
JEANES HOSPITAL	:	
a/k/a TEMPLE UNIVERSITY	:	
HEALTH SYSTEM	:	
Defendant	:	
	:	

PLAINTIFF'S PROPOSED VOIR DIRE

Plaintiff respectfully requests that The Honorable Court ask the following voir dire questions to the jury panel in addition to standard questions which the court intends to ask:

1. Is there anyone here who knows William J. Fox, Esquire who maintains a legal practice in Philadelphia. Is there anyone who knows Larry Rappoport, Esquire, or Theresa Zechman, Esquire. Is there anyone who knows any attorneys or employees that work for the Law Firm of Stevens & Lee which has offices in Philadelphia, King of Prussia and Harrisburg?
2. The Plaintiff is Susan Scanlon. Does anyone know Ms. Scanlon.
3. The defendant is Jeanes Hospital/Temple University Health System. Does anyone work for or know anyone who works for either Jeanes Hospital or Temple University Hospital System or Temple University or Temple University Hospital?
4. The following people may be called to testify as a witness in this case:
 1. Aileen Bilyak, M.D.
 2. Neil Isdaner, M.D.

3. Elizabeth Welsh, R.N.
4. James Makowski
5. Christine Morrell
6. Susanne Wacker.
7. Kathleen Haviland,
8. Denise Frasca
9. Anne Kane, R.N.
10. Elizabeth Donahue
11. James Airoidi, M.D.
12. Eve Brog, R.N.
13. Carol Jean Hertkorn
14. Marie Gardner
15. Fay R. Trachtenberg, Esq.
16. Linda Grass
18. Andrew G. Verzilli, Ph.D., Andrew C. Verzilli
19. William G. Scanlon
20. Susan Hardiman

Does anyone know any of these people?. How? Would it affect your ability to render a fair and impartial verdict?

5. Evidence will be presented regarding a woman who was a patient at Plaintiff's former employer, Jeanes Hospital. While a patient at Jeanes, this woman was approximately 18 weeks

pregnant. While a patient at Jeanes, she suffered a miscarriage. The circumstances and facts regarding the miscarriage may be discussed in testimony. The woman's identity will not be revealed. However, her medical chart and her medical condition at the time of the miscarriage and shortly thereafter may be discussed in the testimony that is presented.

Is there anyone here who feels that he or she would be unable to serve as a juror because of the nature of this case? (If there are affirmative responses, Plaintiff(s) request that the Court propound appropriate questions to ascertain the nature of the acquaintanceship and whether or not the familiarity is of such a nature that a particular juror cannot render a fair and impartial verdict).

6. Is there anyone who feels that he or she could not enter a verdict against the defendants because he or she feels that the value of such injuries cannot be measured in a legal proceeding? (If there are affirmative responses, Plaintiff(s) request that the Court propound appropriate questions to ascertain the nature of the acquaintanceship and whether or not the familiarity is of such a nature that a particular juror cannot render a fair and impartial verdict).

7. Is there anyone here who does not believe that age discrimination can occur in the work place? (If there are affirmative responses, Plaintiff requests that the Court propound appropriate questions to ascertain the nature of the acquaintanceship and whether or not the familiarity is of such a nature that a particular juror cannot render a fair and impartial verdict).

8. Is there anyone here who is a member of or works with the legal profession, and by that I mean attorneys, paralegals, legal secretaries, or investigators? (If there are affirmative responses, Plaintiff(s) request that the Court propound appropriate questions to ascertain the nature of the acquaintanceship and whether or not the familiarity is of such a nature that a

particular juror cannot render a fair and impartial verdict).

9. Is there anyone here who has a spouse or close family relative who is a member of or works with the legal profession, again, meaning attorneys, paralegals, legal secretaries, or investigators? (If there are affirmative responses, Plaintiff(s) request that the Court propound appropriate questions to ascertain the nature of the acquaintanceship and whether or not the familiarity is of such a nature that a particular juror cannot render a fair and impartial verdict).

10. Is there anyone here employed by an insurance company or a stockholder of an insurance company? (If there are affirmative responses, Plaintiff(s) request that the Court propound appropriate questions to ascertain the nature of the acquaintanceship and whether or not the familiarity is of such a nature that a particular juror cannot render a fair and impartial verdict).

11. Is there anyone here who has a spouse or close family member who is employed by an insurance company or a stockholder in an insurance company? (If there are affirmative responses, Plaintiff(s) request that the Court propound appropriate questions to ascertain the nature of the acquaintanceship and whether or not the familiarity is of such a nature that a particular juror cannot render a fair and impartial verdict).

12. Is there anyone here who has a spouse or close family relative who is in the business of investigating or adjusting discrimination claims or who owns any stock in a corporation which is in the business of investigating or adjusting claims? (If there are affirmative responses, Plaintiff(s) request that the Court propound appropriate questions to ascertain the nature of the acquaintanceship and whether or not the familiarity is of such a nature that a particular juror cannot render a fair and impartial verdict).

13. Is there is anyone who has been involved in a lawsuit as a party, witness or otherwise? (If there are affirmative responses, Plaintiff(s) request that the Court propound appropriate questions to ascertain the nature of the acquaintanceship and whether or not the familiarity is of such a nature that a particular juror cannot render a fair and impartial verdict).

14. Is there anyone here who has a spouse or close family relative who has been involved in a lawsuit, as a party, witness or otherwise? (If there are affirmative responses, Plaintiff(s) request that the Court propound appropriate questions to ascertain the nature of the acquaintanceship and whether or not the familiarity is of such a nature that a particular juror cannot render a fair and impartial verdict).

15. Are there any jurors who do not understand that the burden of proof in a civil action such as this case is not the same as that found in a criminal action? (An explanation concerning the difference is requested).

16. Is there anyone here who believes, for whatever reason, that a corporation should not be sued even if it committed an error and/or was negligent?

17. Is there anyone here who believes that someone who has suffered from discrimination in the workplace should not recover money damages under any circumstance?

18. Assuming, under the facts as you find them and the law which you received from the Court, that you determined that the Plaintiff is entitled to recover, is there anyone here who could not award money damages which represent the sum total of proven damages simply because that total is a substantial sum of money?

19. Do you have strong feelings about people who file a lawsuit for money damages for employment discrimination?

20. Do you think lawsuits are brought too frequently? If your answer is yes, please state why.

21. What concerns, if any, do you have about awarding money as damages to an injured person?

22. Assuming, under the facts as you find them and the law which you receive from the Court, that you determine that the Plaintiffs are entitled to recover, is there anyone here who feels that they would have difficulty awarding money damages

23. Assuming, under the facts as you find them and the law which you receive from the Court, that you determine that the Plaintiffs are entitled to recover, is there anyone here who feels that they would have difficulty awarding money damages because they believe there should be a limit or cap on the amount of damages that can be awarded in a civil lawsuit? (If there are affirmative responses, Plaintiff requests appropriate follow-up questions to ascertain why the juror believes in a limit or cap, and whether such a belief would impair the juror's ability to render a fair verdict).

24. Assuming, under the facts as you find them and the law which you receive from the Court, that you determine that the Plaintiffs are entitled to recover, is there anyone here who feels that they would have difficulty awarding money damages because they believe there should be a minimum on the amount of damages that can be awarded in a civil lawsuit? (If there are affirmative responses, Plaintiff requests appropriate follow-up questions to ascertain why the juror believes there should be a minimum and whether such a belief would impair the juror's ability to render a fair verdict).

25. If the jury in this case were to award money damages, would you feel that it would

have some economic effect on you personally?

26. Do any of you work or know anyone who works in the medical industry. Does anyone work for a hospital or a doctor. Does anyone work as a nurse. If so, would your ability to be a fair and impartial juror be compromised?

Respectfully submitted,

W.J.F. 2565

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